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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,977	09/18/2003	Anthony Bloesch	MS302062.1/MSFTP487US	8617

27195 7590 07/06/2006

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EXAMINER	
INGBERG, TODD D	

ART UNIT	PAPER NUMBER
2193	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/666,977	BLOESCH ET AL.	
	Examiner	Art Unit	
	Todd Ingberg	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/23/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1 – 41 have been examined.

Information Disclosure Statement

1. The Information Disclosure Statement filed April 23, 2004 has been considered.

Drawings

2. Drawings filed September 11, 2003 have been accepted.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The word "Exstensibility" appears the be a typographical error for "Extensibility". Page 4 of the Specification has the word correct.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 - 41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The current focus of the Patent Office in regard to statutory inventions under 35 U.S.C. § 101 for method claims and claims that recite a judicial exception (software) is that the claimed invention recite a practical application. Practical application can be provided by a physical transformation or a useful, concrete and tangible result. No physical transformation is recited and additionally, the final result of the claim is

for an object oriented modeling system (Aspect Oriented not explicitly claimed) which is not a tangible result because not updating, storing or displaying to a computer readable medium is claimed. The following link on the World Wide Web is for the United States Patent And Trademark Office (USPTO) policy on 35 U.S.C. §101.

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf>

The claims must claim a tangible result. Displaying to a monitor, updating to storing to a computer readable medium etc.

Claim Interpretation

5. The limitation "***at least one of***" is interpreted as an OR.

Claim Objections

6. Claim 29 is objected to because of the following informalities: The claim has a limitation of a "meat-model". Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 – N are rejected under 35 U.S.C. 102(b) as being anticipated by Template Software.

The **Template** product line contains:

The SNAP programming language (Not used in this Office Action)

The Workflow Template (Two manuals used)

The Web Component (Not used in this Office Action)

These three layered products work together.

The documentation sets for the products contains the following manuals.

SNAP released June 1997

SNAP Language Reference (Not used in this Office Action)

Using the SNAP Language (Not used in this Office Action)

Using the SNAP Communication Component (Not used in this Office Action)

Using the SNAP Graphic User Interface Component (Not used in this Office Action)

Getting Started with SNAP (Not used in this Office Action)

Using the SNAP Display Editors (Not used in this Office Action)

SNAP Class Library Reference (Not used in this Office Action)

Using the SNAP External Application Software Component (Not used in this Office Action)

Using the SNAP Development Environment (Not used in this Office Action)

SNAP Module Library Reference (Not used in this Office Action)

Using the SNAP Permanent Storage Component (Not used in this Office Action)

Workflow released September 1997

Developing a WFT Workflow System (Referred to as **WFT**)

Using the WFT Development Environment (Referred to as **Using**)

WFT Library Reference (Not used in this Office Action)

Web Component

Using the Web Component (Not used in this Office Action)

Since, these products work together they constitute a single reference and can be used as the basis for a rejection based on anticipated by a product offering. Furthermore, with the 1997 press release announcing version 8.0 these considered prior art under ***In re Epstein*** 31 USPQ2d 1817 (decided August 17, 1994) with a 1997 release date despite the 1998 copyright date.

Claim 1
Template anticipates an application programming interface, comprising: an input component that receives data and/or instructions; and a meta-model object that is processed by the input component, the meta-data model interrelates data via a class hierarchy. (Using, Chapter 4, page 4-12, Object Model Editor – inheritance line)

Claim 2
The application programming interface of claim 1, the meta-model includes relationship descriptions between class objects. (Using, Chapter 4, page 4-12, Object Model Editor)

Claim 3
The application programming interface of claim 2, the class objects are associated with a meta-class. (Using, Chapter 4, page 4-12, Object Model Editor – relation line and inheritance line)

Claim 4
The application programming interface of claim 1, the input component is associated with services that operate in conjunction with an operating system framework. (By definition instantiation is part of object technology and allocation of memory is required – this requires the operating system).

Claim 5
The application programming interface of claim 4, further comprising an extension to the framework to interact with at least one of software modeling tools (Object Model editor of claim 1), editor tools, design tools, graphics tools, and word processors.

Claim 6
The application programming interface of claim 4, further comprising one or more assemblies that contain annotated classes that derive from classes defined by the framework. (Limitation is inherent in Object technology – "inheritance" and "instantiation" of an object – Object defined in claim 1).

Claim 7
The application programming interface of claim 4, the framework reads meta-data from one or more component assemblies to determine at runtime a structure of an item. (Limitation is inherent in Object technology – "instantiation" of an object – Object defined in claim 1).

Claim 8
The application programming interface of claim 7, the item is a document. (Using, page 3-12 what flows on the lines such as Refusal are work items, work items are documents).

Claim 9
The application programming interface of claim 1, the meta-object model includes at least one of a meta-class, a meta-attribute, a meta-relationship (as per claim 3 – relational lines), an integrity rule, and a behavior description.

Claim 10
The application programming interface of claim 9, the meta-class inherits from one or more other meta-classes and/or from base functionality provided by an operating system framework. (as per claim 7 – by definition instantiation is part of object technology and allocation of memory is required).

Claim 11
The application programming interface of claim 9, the meta-class is associated with a relational database. (Using, Chapter 5, Schema Editor to map to database).

Claim 12
The application programming interface of claim 9, the meta-class is identifier via a globally unique identifier. (WFT, 9-21, Node in figure 9-7 is an instantiated object).

Claim 13
The application programming interface of claim 9, the meta-class is identified via at least one of a name and a caption to facilitate application development. (WFT, 9-21, figure 9-7, Name is the ID of claim 12, caption is the Task name).

Claim 14
The application programming interface of claim 1, the meta-model object is associated with at least one of a meta-meta-model (As per claim 1) and a data model.

Claim 15
The application programming interface of claim 9, the meta-class is a class encapsulating data employed to represent another class. (Interpretation – Appears Applicant is attempting to claim an object with encapsulated data and methods – Methods may access the data of other objects – ***Encapsulation*** and ***messaging*** are inherent in object technology).

Claim 16
The application programming interface of claim 9, the meta-relationship include relationships between model classes. (As per claim 3).

Claim 17
The application programming interface of claim 9, the meta-relation-ship is optionally captured in a database via a join operation that allows cardinality combinations to be modeled uniformly. (Using, Chapter 5 – Schema to Relational DB).

Claim 18
The application programming interface of claim 9, the meta-relationship optionally includes at least one meta-role. (Using, Chapter 7, Application editor – are the Roles).

Claim 19
The application programming interface of claim 1, further comprising a component to manage at least one of a system state, an event, a transaction, a rollback, and a schema (Using, Chapter 5– Schema Editor).

Claim 20
The application programming interface of claim 19, the transaction is a nested transaction. (Using, pages 4-52 to 4-55, Demons).

Claim 21
The application programming interface of claim 19, the transaction is associated with at least one of an undo and a redo operation. (Using, 4-30, Undo).

Claim 22
Template anticipates data management system, comprising: a processing component that receives an item that includes meta-data annotations (part of relational lines of claim 3); and an analysis component that determines at runtime a structure of an item via deployment of the meta-data annotations. (***Inheritance*** and ***instantiation*** see claims 6,7 and 10).

Claim 23
The system of claim 22, further comprising a framework component that defines meta-data class derivations. (Principle of Inheritance in object technology - as per claims 6, 7 and 10).

Claim 24
The system of claim 23, the framework component defines at least one of a meta data class (Using, page 4-28 to 4-29, class editor), a meta-data rule, and a meta-data class behavior.

Claim 25
The system of claim 23, the framework further comprises a meta-model object having at least one of a store and a substore to facilitate operations with meta-data components. (Using, pages A-2 to A-3 – Note the CD files supporting the system).

Claim 26
The system of claim 25, the substore including at least one of an element, an element link, a property, a class field, a model field, a relationship field (As per claim 3 and 25 - relational lines), a role field, an attribute field, and a schema field to facilitate operations with meta-data components.

Claim 27

The system of claim 25, the store is associated with at least one of a cache manager, an element class factory (Using, page 4-28), a model event coordinator, a transaction manager, an undo manager, and a working proxy store.

Claim 28
A computer readable medium having computer readable instructions stored thereon for implementing the processing component and the analysis component of claim 22. (Interpreted to be the building of classes of USING – Class editor page 4-28 and the ability to instantiate objects – claim 10).

Claim 29
Template anticipates a method to process meta-data, comprising: determining parameters in accordance with a meta-model class; determining relationships in view of the meta-model class; and inheriting properties to the meat-model class from at least one of another class and an operating system framework to facilitate development of meta-data applications. As per claims 1 and 6.

Claim 30
The method of claim 29, further comprising automatically processing at least one of an event and a transaction when interacting with the meta-model class. (WFT, page 5-9, the steps required to enter a Requisition OR a Refusal in the work flow system).

Claim 31
The method of claim 29, further comprising providing at least one application programming interface to interact with the meta-model class. As per claim 1.

Claim 32
The method of claim 29, further comprising processing at least one domain when interacting with the meta-model class. As per claim 1.

Claim 33
The method of claim 29, further comprising caching a portion of the meta-class (WFT, page 5-8) from at least one of a client and a server system (WFT, Chapter 7, page 7-8).

Claim 34
The method of claim 33, further comprising presenting the portion of the meta class to an application as if the portion resided on the client and server system. (WFT, Chapter 7, page 7-8).

Claim 35
Template anticipates a system to facilitate meta-data interactions with an operating system, comprising:

means for modeling a meta-data object;
means for relating the meta-data object to at least one class; and
means for interacting with an operating system via the meta-data object.

(As per claims 1, 10 and 6)

Claim 36
Template anticipates a computer readable medium having a data structure stored thereon, comprising: a first data field related to a store associated with a meta-model object; and a second data field related to a substore that describes a portion of the meta-model object. (Using, Chapter 4, class editor, and actual storage Using, pages A-2 to A-3 – Note the CD files supporting the system).

Claim 37
The computer readable medium of claim 36, the substore includes at least one of a meta-model (as per claim 1) and a data model.

Claim 38
The computer readable medium of claim 36, further comprising a data field describing at least one of an element and an element link. (As per claim 1 – lines between classes)

Claim 39
The computer readable medium of claim 36, further comprising a data field describing at least one of meta-model information (AS per claim 1), meta-class information, meta relationship information, meta-role information, meta-attribute information, domain information, and property information.

Claim 40
The computer readable medium of claim 36, further comprising a data field describing at least one of a schema (Using, Chapter 5), a table, and a column.

Claim 41
The computer readable medium of claim 40, at least one of the schema, table and column is stored on a relational database (Using, Chapter 5 – Schema to Relational DB).

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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